

§ 212.20

(b) A request for a waiver of any of the provisions of § 212.25 shall be accompanied by a list of the names, addresses, and telephone numbers of all the passengers on the flight to which the request relates.

(Approved by the Office of Management and Budget under control number 3024-0036)

[ER-1220, 46 FR 28371, May 26, 1981, as amended by ER-1341, 48 FR 31014, July 6, 1983]

Subpart B—Provisions Relating to Pro Rata Charters

§ 212.20 Applicability of subpart.

This subpart sets forth the special rules applicable to pro rata charters.

[ER-1220, 46 FR 28375, May 26, 1981]

REQUIREMENTS RELATING TO FOREIGN AIR CARRIERS

§ 212.21 Solicitation and formation of a chartering group.

(a) A carrier shall not engage, directly or indirectly, in any solicitation of individuals (through personal contact, advertising, or otherwise) as distinguished from the solicitation of an organization for a charter trip, except after a charter contract has been signed.

(b) A carrier shall not employ, directly or indirectly, any person for the purpose of organizing and assembling members of any organization, club, or other entity into a group to make the charter flight, except after a charter contract has been signed.

§ 212.22 Pretrip notification and charter contract.

(a) Upon a charter flight date being reserved by the carrier or its agent the carrier shall provide the prospective charterer with a copy of this part 212.² The charter contract shall include a provision that the charterer, and any agent thereof, shall only act with regard to the charter in a manner consistent with this part and that the

² Copies of this part are available by purchase from the Superintendent of Documents, Washington, D.C. 20402. Single copies will be furnished without charge on written requests to the Publications Services Section, Civil Aeronautics Board, Washington, D.C. 20428.

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charterer shall within due time submit to the carrier such information as specified in § 212.45. The carrier shall also require that the charterer and any travel agent involved shall furnish it at least 30 days prior to departure of the first flight the statements of Supporting Information required in §§ 212.47 and 212.31, respectively, unless the charter has been contracted for within 30 days before the date of departure, in which event the statement and attachments shall be filed with the carrier on the date the charter contract is executed. In the event of a substitution of carriers, the carrier with whom the statements and attachments have been filed may forward them to the substitute carrier, in which case new statements need not be executed.

(b) The carrier shall attach to its copy of the charter contract a certification by an officer of the chartering organization, or other qualified person, that authorizes the person who executes the contract to do so on behalf of the chartering organization. However, certification is not required where the charter is based on employment in one entity, or on employee or student status at a school. If the charter contract is for the return flight of a one-way charter by the same charter organization, a copy of the passenger list (§ 212.45) of the outbound charter shall be attached to the charter contract.

[ER-686, 36 FR 7449, Apr. 20, 1971, as amended by ER-1220, 46 FR 28375, May 26, 1981]

§ 212.23 [Reserved]

§ 212.24 Statement of Supporting Information.

Prior to performing a charter flight, the carrier shall execute, and require the travel agent (if any) and the charterer to execute a Statement of Supporting Information (Appendix B). If a charter contract covers more than one charter flight, only one statement need be filed: *Provided, however,* That separate financial data (see item 13 of statement) shall be filed for each one-way or round-trip flight. The carrier shall require the charterer to annex to the statement copies of all announcements of the charterer in connection